

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:08cr127**

UNITED STATES OF AMERICA, )

vs. )

STEVEN GORDON CASPER. )  
\_\_\_\_\_ )

**ORDER**

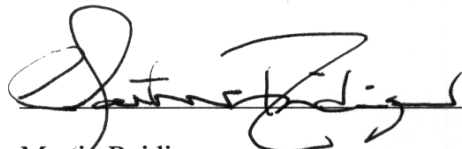
**THIS MATTER** is before the Court on the Defendant's Motion for Reconsideration of Order Denying Defendant's Motion and Affidavit for Permission to Appeal *In Forma Pauperis* [Doc. 24] and Motion and Affidavit for Permission to Appeal *In Forma Pauperis* [Doc. 25].

On February 9, 2010, the Court denied the Defendant's previous motion to proceed without the prepayment of fees. [Doc. 23]. The Court denied the motion because the Defendant, who was represented through sentencing by privately retained counsel, disclosed the ownership of two parcels of real estate worth \$280,000. In the motion to reconsider, the Defendant claims that the mortgages against the property exceed the fair market value thereof. However, no documentation in support of that claim was attached.

The Defendant's previous motion was denied without prejudice to renewal before the United States Fourth Circuit Court of Appeals. Fed.R.App.P. 24(a)(5) ("A party may file a motion to proceed on appeal *in forma pauperis* in the court of appeals within 30 days after service of the [order denying relief]."). The Defendant should move in the Fourth Circuit for the relief sought.

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion for Reconsideration of Order Denying Defendant's Motion and Affidavit for Permission to Appeal *In Forma Pauperis* [Doc. 24] and Motion and Affidavit for Permission to Appeal *In Forma Pauperis* [Doc. 25] are hereby **DENIED** without prejudice to renewal in the United States Fourth Circuit Court of Appeals.

Signed: March 9, 2010

  
Martin Reidinger  
United States District Judge

